

Remarks

Claims 1-17 and 20-36 are pending. Claims 4, 8-11, and 29-30 have been withdrawn.

Rejection under 35 U.S.C. § 102

Claims 1-3, 5-7, 12-17, 20-28, 31-32, 35 and 36 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent Application Publication No. 2002/0111601 by Thompson (hereinafter "Thompson"). The rejection is respectfully traversed.

Thompson fails to disclose means or structures for disintegrating a reservoir cap by electrothermal ablation, which requires resistive heating. (Page 14, Lines 25-29). Rather, Thompson discloses a mechanism involving electrochemical oxidation and dissolution of a cap member. (See Thompson, paragraphs 0069-0072). The Examiner's assertions to the contrary are evidently based on misinterpretations of the teachings of Thompson, as explained in the attached Second Declaration Under 37 C.F.R. § 1.132 by John T. Santini Jr., Ph.D. Accordingly and for the reasons of record, each of the pending claims is novel over Thompson.

Rejections under 35 U.S.C. § 103(a)

Claim 17 was rejected, in the alternative, under 35 U.S.C. § 103(a) as obvious over Thompson in view of U.S. Patent 5,797,898 to Santini, Jr. et al. (hereinafter "Santini"). Claim 33 was rejected under 35 U.S.C. § 103(a) as obvious over Thompson in view of U.S. Patent Application Publication No. 2002/0055761 to Mann et al. (hereinafter "Mann"). Claim 34 was rejected under 35 U.S.C. § 103(a) as obvious over Thompson in view of U.S. Patent 6,587,719 to Barrett et al. (hereinafter "Barrett"). The rejections are respectfully traversed for the reasons of record and for the reasons set forth in the attached Second Declaration Under 37 C.F.R. § 1.132 by John T. Santini Jr., Ph.D.

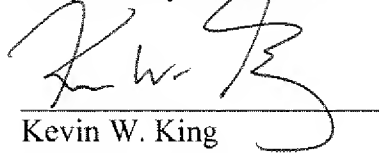
Nothing in Santini, Mann, or Barrett, alone or in combination, can be construed to supplement the deficiency of Thompson. None of these references in any combination remotely suggest means or structures for disintegrating a reservoir cap by electrothermal ablation.

Conclusions

The claims are patentable over the prior art of record. Prompt allowance of each of pending claims is therefore respectfully solicited.

The undersigned kindly invites the Examiner to contact him by telephone (404.853.8068) if any outstanding issues can be resolved by conference or examiner's amendment.

Respectfully submitted,



Kevin W. King
Reg. No. 42,737

Date: September 26, 2007

SUTHERLAND ASBILL & BRENNAN LLP
999 Peachtree Street, NE
Atlanta, Georgia 30309-3996
(404) 853-8068
(404) 853-8806 (fax)